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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,307	12/29/2000	Clifford Lee Knight	BS00126	8010

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EXAMINER	
TRAN, PABLO N	
ART UNIT	PAPER NUMBER
2685	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,307

Applicant(s)

KNIGHT, CLIFFORD LEE

Examiner

Pablo N Tran

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 32-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 35-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7-9, 13-28, 30-31, and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by *Priest et al.* (6,047,160) in view of *Council et al.* (National Transportable Telecommunications Capability: Commercial Satellite and Cellular Comm. For Emergency Preparedness, vol. 1, conf. 11, pages 137-140 XP000346717).

As per claims 1 and 35, *Priest et al.* disclosed a remote, self-contained communications antenna apparatus (fig. 2), mounted on a vehicle (col. 5/ln. 49-51), for transceiving wireless communication signals between said equipment and a disconnected cell site (col. 3/ln. 22-30, col. 5/ln. 28-44) that has been disconnected from its cellular system, and transceiving communication signals between said equipment and a communications network (col. 2/ln. 49-col. 3/ln. 30).

Priest et al. disclosed a deployable base station system having such mast but not explicitly a collapsing antenna. However, such collapsing antenna is well known in the

art, as suggested by *Council et al.* (pg. 138, paragraph 6th). Therefore, it would have been obvious to one of ordinary skill in the art to provide such collapsing antenna to the deployable base station system as taught by *Priest et al.* in order to provide a compact system for air transportability.

As per claims 2-13, the modified system of *Priest et al.* further disclosed wherein said wireless communication signals between said equipment and said disconnected cell site are transceived in a range of 806-960 MHz, 1710-1855 MHz, 2500-2690 MHz, or 2.4-2.5 GHz and the communication signals are for pagers, digital processing devices, or any frequency signal in the electromagnetic spectrum (see *Priest et al.*, col. 5/ln. 18-22, see *Council et al.*, pg. 137-139, furthermore as stated in the specification, paragraph 0011).

As per claims 14-15, the modified system of *Priest et al.* further disclosed celestial communications network or terrestrial communications network (see *Priest et al.*, col. 3/ln. 51-54, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 17, and 31, the modified system of *Priest et al.* further disclosed a phone (see *Priest et al.*, fig. 3a/no. 152, 154, 156, 158, 164, 166, 172, 174).

As per claims 18 and 27, the modified system of *Priest et al.* further disclosed an electrical power source (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 19, the modified system of *Priest et al.* further disclosed a personal computer (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 20, the modified system of *Priest et al.* further disclosed the equipment is attached to a vehicle (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 21, the modified system of *Priest et al.* further disclosed a trailer (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 22, the modified system of *Priest et al.* further disclosed a motorized vehicle (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claim 23, the modified system of *Priest et al.* further disclosed the charging source further charges the motorized vehicle (see *Priest et al.*, col. 5/ln. 45-58, see *Council et al.*, pg. 137-139).

As per claim 24, the modified system of *Priest et al.* further disclosed an extendible mast (see *Priest et al.*, col. 5/ln. 45-58, col. 6/ln. 46-55, see *Council et al.*, pg. 137-139).

As per claims 25-26, the modified system of *Priest et al.* further disclosed wherein said signal processor comprises a digital/analog signal processor (see *Priest et al.*, col. 4/ln. 12-34, see *Council et al.*, pg. 137-139).

As per claims 28 and 37-38, the modified system of *Priest et al.* further disclosed the remote antenna apparatus communicated with the disconnected cell site using wireless communications (see *Priest et al.*, col. 2/ln. 49-col. 3/ln. 30).

As per claims 30 and 36, as stated in claim 1, the modified system of *Priest et al.* further disclosed cellular devices that use a standard setup channel and frequency coordination (see *Priest et al.*, col. 2/ln. 49-col. 3/ln. 30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified system of *Priest et al.*.

As per claim 16, the modified communication system of *Priest et al.* disclosed all claim limitations except for temperature control and a solar-power generator. However, such is notoriously well known in the art that the examiner takes Official Notice of such. Therefore, it would have been obvious to one of ordinary skill in the art to provide such temperature control and a solar-power generator to the modified communication system of *Priest et al.* in order to provide such cooling means to keep the deployable base station function properly but also provide such alternative power source to the deployable base station during critical times.

5. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over the modified system of *Priest et al.* and in view of *Knoblach et al.* (6,628,941).

As per claim 29, the modified communication system of *Priest et al.* disclosed such wireless communications with the disconnected cell site but not wired medium. However, *Knoblach et al.* suggested such medium (see *Knoblach et al.*, fig. 2/no. 30d). Therefore, it would have been obvious to one of ordinary skill in the art to provide such medium communication to the modified communication system of *Priest et al.* in order to provide a secure medium communication means.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 30, and 35-36 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baumann (6,148,196) and McCraw et al. (6,804,515) disclose such mobile base station in a radiotelephone communication system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

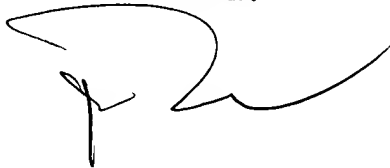
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

June 16, 2005

PABLO N. TRAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to be 'P. Tran', with a large, sweeping flourish extending to the right.

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